

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Juan Rene Sainz-Ortega,

Civil No. 09-543 (RHK/JJG)

Petitioner,

**ORDER**

v.

United States of America,

Respondent.

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The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein, **IT IS ORDERED:**

1. The Report and Recommendation (Doc. No. 3) is **ADOPTED**; and
2. Petitioner's application for habeas corpus relief under 28 U.S.C. § 2241 (Doc. No. 1) is **DISMISSED** for lack of jurisdiction.

Dated: March 30, 2009

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge